

AMENDED

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office MAY 16 1988

Returned to applicant for correction

Corrected application filed JUN 10 1988 Map filed JUN 10 1988 under 52094

The applicant Robert L. Helms & Pauline F. Helms Family Trust

P.O. Drawer 608, Lincoln Way of Sparks

Street and No. or P.O. Box No.

City or Town

Nevada, 89431

State and Zip Code No.

hereby make application for permission to change the

Point of diversion, manner & place of use

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 8616, Certificate 2969

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

Identify right in Decree.)

1. The source of water is Underground

Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 1.34 c.f.s.

Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for irrigation & domestic

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for irrigation

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, T.13N., R.20E.,

Describe as being within a 40-acre subdivision of public survey and by course and

M.D.B.&M., or at a point from which the NW Corner of said Section 34 bears
distance to a section corner. If on unsurveyed land, it should be stated.

N.25° 45' 58"W., 2913.88 feet

6. The existing permitted point of diversion is located within SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29, T.13N., R.20E.,

If point of diversion is not changed, do not answer.

M.D.B.&M. or at a point from which the South Quarter Corner of Section 30,

T.13N., R.20E., M.D.B.&M. bears S.69°01'W., 7473.00 feet.

7. Proposed place of use S $\frac{1}{2}$ Section 21; SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27; Section 28 (all); NE $\frac{1}{4}$, E $\frac{1}{2}$

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 29; NE $\frac{1}{4}$ Section 32; N $\frac{1}{2}$ Section 33; all in T.13N., R.20E.,

M.D.B.&M. (920 acres)

8. Existing place of use SE $\frac{1}{4}$ Section 19; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 17; N $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$,

Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 20; W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 29; (920 acres) all in T.13N.,

manner of use of irrigation permit, describe acreage to be removed from irrigation.

R.20E., M.D.B.&M.

9. Use will be from 1 January to 31 December of each year.

Month and Day

Month and Day

10. Use was permitted from April 1 to October 1st of each year.

Month and Day

Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and

specifications of your diversion or storage works.) a drilled & cased well, equipped with pump,

State manner in which water is to be diverted, i.e. diversion structure, ditches,

motor, and existing irrigation system

pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$15,000

13. Estimated time required to construct works 1 year

14. Estimated time required to complete the application of water to beneficial use 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This water has been used to supplement Carson River Decreed rights on the existing place of use and will continue to be used to supplement Carson River Decreed rights on the proposed place of use. This change will share a common place of use proposed under the change of Permit 8617, Certificate 2970.

By s/Michael D. Buschelman
Michael D. Buschelman - Agent
5405 Mae Anne Ave., Reno, NV. 89523

Compared bk/ pm pm/se

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, manner of use and place of use of the waters of an underground source as heretofore granted under Permit 8616, Certificate 2969 is issued subject to the terms and conditions imposed in said Permit 8616, Certificate 2969 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

No perforations shall be put in the production casing from ground level to 100 feet.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.34 cubic feet per second, but not to exceed 488.93 acre-feet seasonally and not to exceed a seasonal duty of 4.5 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before August 23, 1990

Proof of completion of work shall be filed before September 23, 1990

Application of water to beneficial use shall be made on or before August 23, 1993

Proof of the application of water to beneficial use shall be filed on or before September 23, 1993

Map in support of proof of beneficial use shall be filed on or before September 23, 1993

Completion of work filed SEP 6 1989 IN TESTIMONY WHEREOF, I PETER G. MORROS,

State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed _____ my office, this 23rd day of August,

Cultural map filed _____ A.D. 19 88

Certificate No. _____ Issued _____

2407 (Rev. 6-81)

Roland Westergard
State Engineer

By: Roland Westergard, Director

Abrogated by 9538 1.12

(PERMIT TERMS CONTINUED)

The total combined duty of water under Permits 52094 and 52095 shall not exceed 977.86 acre-feet seasonally.

Permits 52094 and 52095 are limited to the irrigation of 920 acres within the described place of use of which 795.5 acres are supplemental to Carson River Rights.

The period of use of this permit is limited from April 1st to October 1st of each year.

